

**YADKIN COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MINUTES**  
**March 17, 2008**

Prior to the regularly scheduled meeting at 7:00pm, the Board of Commissioners attended a "Report to the People" sponsored by the Yadkin Center of the North Carolina Cooperative Extension. Extension staff outlined the goals, programs, and outcomes of Cooperative Extension. The following Board and staff were in attendance:

Chair Kim Clark Phillips  
Vice Chair Joel Cornelius  
Commissioner Tommy Garner  
Commissioner Chad Wagoner  
County Manager Eric Williams  
County Attorney Jim Graham  
County Clerk Gina Brown

The Yadkin County Board of Commissioners met in Regular Session on Monday, March 17, 2008, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

**Present were:**

Chair Kim Clark Phillips  
Vice Chair Joel Cornelius  
Commissioner Tommy Garner  
Commissioner Chad Wagoner  
Commissioner Brady Wooten

**Staff present:** County Manager, Eric Williams; County Attorney, James Graham; and Clerk to the Board, Gina Brown.

**CALL TO ORDER** by Chair Phillips at 7:00pm

**INVOCATION** by James Graham

**PLEDGE OF ALLEGIANCE** led by Trevor Hardwick, a seventh grader at West Yadkin Elementary School. Trevor was accompanied by his mother, the West Yadkin School Principal, and his 4-H Leader. Trevor stated that the West Yadkin teachers have a lot of patience and really work with the students. Trevor reported that he will compete the following day in the 4-H Regional Finals of the Soil and Water Competition after winning at the County level. Staff and audience congratulated Trevor for the achievement.

## **ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

County Manager Williams requested the following adjustments to the agenda:

- (1) There is an additional document to accompany the report by Frances Casstevens.
- (2) The update from Moseley Architects listed as Agenda Item XIII.B.2. is not available for today's meeting.
- (3) There is new information regarding a new service provider for Crossroads Behavioral Healthcare to be discussed under Manager Reports.

**Commissioner Wooten made a motion to approve the agenda with noted adjustments. Commissioner Wagoner second.**

**Vote: 5/0**

## **PUBLIC COMMENTS**

There were no speakers for Public Comment at today's meeting. The Public Comments portion of the agenda closed at 7:07pm.

## **APPROVAL OF MINUTES**

Chair Phillips requested the following adjustments:

Pg. 3 – change 'precious' to 'previous'

Pg. 11, 7<sup>th</sup> paragraph – add the date 2/28/08 to Commissioner Wooten's comments

**Commissioner Wooten made a motion to approve the February 26, 2008 Special Meeting Minutes with noted adjustments and the February 28, 2008 Regular Meeting Minutes as written. Vice Chair Cornelius second.**

**Vote: 5/0**

## **PUBLIC HEARING**

Planning and Development Director, Kim Bates reviewed the Staff Report for the requested rezoning of William and Miriam Shores property on Hemric Road from RA to RG-CD. The area is residential and agricultural in all directions. The Planning Board has requested a Conditional Zoning in order to restrict the subdivision limited only to the 3 proposed parcels.

The floor was open for Public Hearing.

Property owner, William Shores spoke briefly to the Board. Mr. Shores stated that his only intention is to subdivide the land between his children.

There were no other speakers for this issue. The Public Hearing was closed at 7:14pm.

**Vice Chair Cornelius made a motion to approve the request of William and Miriam Shores to rezone property on Hemric Road from RA to RG-CD for the purpose of subdivision. Commissioner Garner second.** Chair Phillips read the Statement of Zoning Consistency. It was noted that the date should reflect the date of the hearing, March 17, 2008. It was further noted that the addresses, 2008 Charlotte's Lane

and 2009 Charlotte's Lane, were incorrect and should be struck from the Statement. **Vice Chair Cornelius adjusted his motion to include the Statement of Zoning Consistency with noted corrections. Commissioner Garner seconded the adjustment.**

**Vote: 5/0**

**[The Statement of Zoning Consistency for the William and Miriam Shores Rezoning is attached as Addendum A]**

Planning and Development Director, Kim Bates requested that the Board set a Public Hearing for a proposed corrective action rezoning of property on Vista Road from CB to RA.

**Commissioner Wooten made a motion to set a Public Hearing for corrective rezoning of property on Vista Road from CB to RA for Monday, April 21, 2008. Commissioner Wagoner second.**

**Vote: 5/0**

### **BOARD APPOINTMENTS**

There were no requests for Board appointments at today's meeting.

### **BOARD REPORTS/REQUESTS**

A) Natalie Ford, a Starmount High School Senior, appeared before the Board. Miss Ford reported that she had begun an organ and tissue donation campaign at Starmount that had been recognized for being only 1 of its kind in a high school setting. Miss Ford shared letters from Representative Virginia Foxx and Senator Elizabeth Dole expressing their praise and support of Ms. Ford and her program. Ms. Ford, accompanied by her mother, Teresa Ford, requested that the Board establish a "Starmount Has a Heart" Day commemorating this one-of-a-kind program. Teresa Ford explained that having an official declaration boosts the program's awareness and increases the likelihood of receiving additional grant funds. Commissioners Garner and Wagoner had additional questions as well as Chair Phillips. Natalie Ford reported that the program currently involves seniors only with approximately 20 students participating. Teresa Ford announced that she has another child entering Starmount in the 2008/2009 school year and intends to insure that the program continues.

**Commissioner Garner made a motion to declare February 14 "Starmount Has a Heart Day" for Yadkin County. Commissioner Wagoner second.** Chair Phillips offered that an accompanying Resolution could be drafted. **Commissioner Garner adjusted his motion to include that a RESOLUTION DECLARING FEBRUARY 14 AS "STARMOUNT HAS A HEART DAY" would be forthcoming at a subsequent meeting. Commissioner Wagoner adjusted his second to the same.**

**Vote: 5/0**

B) Fire Marshal, Eddie Weatherman reported that all Yadkin County Fire Districts had met the State's minimum requirements to be a rated and certified department. This will allow the fire insurance district to increase to a 6 mile radius allowing property owners within that radius to benefit from a reduced homeowners premium for fire protection. Fire Marshal Weatherman added that this had been a long process involving all of the volunteer fire departments. Fire Marshall Weatherman presented an updated map of the 6-mile fire districts and acknowledged the Yadkin County mapping department for developing the map. Commissioner Wagoner asked Fire Marshal Weatherman to equate this data into actual savings for the homeowner. Fire Marshal Weatherman speculated that homeowners may experience a savings of \$100.00 per year on a home valued at \$100,000.

On a separate note, Chair Phillips commended Fire Marshal Weatherman for his assistance with a recent fire in the Town of Boonville. Chair Phillips added that the County Fire Marshal is not required to assist with emergency situations in municipalities, but Fire Marshal Weatherman remained on the scene and assisted as needed. Chair Phillips asked that a Letter of Commendation be placed in Fire Marshal Weatherman's personnel record.

(C) Soil and Water Director, Jason Walker appeared before the Board with various contracts for approval. The first contract presented was for mowing and maintenance at the dams. The contract is for bi-annual service for a 3-year period. Contracted cost is \$29,970.

**Commissioner Garner made a motion to accept the contract of Dennis Bill for mowing and maintenance of the watershed dams for \$29,970. Commissioner Wooten second.**

**Vote: 5/0**

A second contract for herbicide application was reviewed. The contract is for the annual spraying of 14 watershed dams for a 3-year period. Contracted cost is \$9,585.

**Commissioner Wooten made a motion to accept the contract of Dennis Bill for herbicide application on the watershed dams for \$9,585. Vice Chair Cornelius second.**

**Vote: 5/0**

A third contract for the removal of rodents and repair of structure #30 in the Deep Creek Watershed was reviewed. Director Walker assured the Board that he would be actively involved with the repairs and that NRCS would also be assisting. Contract is for a one-time expense of \$12,500.

**Commissioner Wooten made a motion to accept the contract of Terry Benton for repair to Structure #30 of the Deep Creek Watershed for \$12,500.**

**Commissioner Garner second.**

**Vote: 5/0**

**[Contracts for the Soil and Water Department are attached as Addendum B]**

In addition, Director Walker presented a budget amendment reflecting a reduction in repair monies and an increase in part-time salary monies. The Soil and Water Department has employed a part-time individual to assist with rodent removal at the dams.

**Commissioner Wooten made a motion to approve the Budget Amendment for Soil and Water. Commissioner Garner second.**

**Vote: 5/0**

**[Budget Amendment for Soil and Water attached as Addendum C]**

(D) Tax Administrator, Phyllis Adams, appeared before the Board to review a proposal for a tax refund to S&S Yadkin, LLC. Administrator Adams explained that S&S Yadkin, LLC purchased a building from Unifi and appealed the value of that building to the Board of Equalization and Review. The appeal was denied because the company had not yet moved into the building and it had not been determined if the building would be used for production or warehousing. S&S Yadkin, LLC. later appealed to the Property Tax Commission. The Property Tax Commission found that S&S Yadkin, LLC. would be operating this building as a warehouse and the appeal was rescinded. The Tax Administration Office has processed a refund for S&S Yadkin, LLC.

**Commissioner Wooten made a motion to approve the tax refund for S&S Yadkin, LLC. Vice Chair Cornelius second.**

**Vote: 5/0**

(E) IT Director, Chris Shugart appeared before the Board to discuss the possible purchase of the Stromberg Time and Attendance System. Manager Williams added that it had been estimated that \$25,000 per year could be saved by use of this system. Director Shugart estimated that Lynn Crater of the Sheriff's Office and Kim Cain of HR spend approximately ½ of their work month on time sheets.

**Vice Chair Cornelius made a motion to adopt and purchase the Stromberg Time and Attendance System. Commissioner Wooten second.** Additional discussion took place. The major concern of the Board was that the Stromberg System truly reflect time worked and earnings. Director Shugart offered that, at present, employees are paid monthly based on their annual salary. In order for Stromberg to pay on a scale of time worked equals pay earned, the county's payroll procedures may have to be adjusted. There were comments regarding the current system allowing for the occasional time-keeping error. Manager Williams responded that the Stromberg system is being proposed, not because of mistrust of county employees, but to strengthen accountability and reduce the amount of time spent on calculating payroll. It was suggested that an implementation date be addressed. **Vice Chair Cornelius adjusted his motion to include an implementation date of September 1, 2008. Commissioner Wooten adjusted his second.**

**Vote: 5/0**

(F) Frances Casstevens appeared before the Board to report that the installation of the 6 Civil War Trail Markers is scheduled for Wednesday, March 19. Ms. Casstevens added that Mitch Bowman, Executive Director of the Civil War Trails Program, will be participating in the installation. Ms. Casstevens is hopeful that Board members have the opportunity to

attend the installation and that the media will cover the event. Yadkin Ripple reporter, Thomas Smith, who was in the audience, stated that he would attend one or more of the installations. Ms. Casstevens was accompanied by Greg Cheek, a member of the Yadkin County Historical Society. Mr. Cheek spoke highly of Ms. Casstevens' involvement with this Civil War Trail Marker program. Mr. Cheek remarked that this event is significant for the history and future of Yadkin County for generations to come. Mr. Cheek commented that dedication ceremonies will take place in the future with the hope that the communities will spearhead those ceremonies. Mr. Cheek asked for a round of applause of Ms. Casstevens' efforts. Chair Phillips read the installation schedule for audience members.

**[Civil War Trail Markers List for Yadkin County is attached as Addendum D]**

(G) Chair Phillips noted information in the agenda packet regarding Senator Dole's opposition to the Public Safety Employer-Employee Cooperation Act, particularly cloture on S.2123. This is provided as information only, no action required.

(H) Manager Williams noted the revised version of the Jonesville Waterline Tap Incentives. There are currently 17 committed households.

*Chair Phillips called for a recess at 8:10pm. Meeting resumed at 8:20pm.*

**BOARD ACTION**

A. DSS Director, Eddie Wooten appeared before the Board to review a Budget Amendment. The Budget Amendment addresses additional funds received from Smart Start for Subsidized Childcare. These funds will allow the Subsidy program to continue without waiting lists.

**Vice Chair Cornelius made a motion to approve the DSS Budget Amendment for additional Smart Start funds of \$15,000. Commissioner Wooten second.**

**Vote: 5/0**

**[DSS Budget Amendment is attached as Addendum E]**

B. Emergency Management Director, Dale Trivette appeared before the Board to review a Budget Amendment. The Budget Amendment addresses additional funds received from the Emergency Management Performance Grant. Commissioner Wooten asked Director Trivette to report how these additional funds would be used. Director Trivette reported that the grant monies must be used to improve and enhance emergency response. The plan is to purchase portable wind direction indicators for chemical events, field operations guides, and printers for the mobile command center.

**Commissioner Wagoner made a motion to approve the EM Budget Amendment for additional grant monies of \$4,664. Commissioner Garner second.**

**Vote: 5/0**

**[EM Budget Amendment is attached as Addendum F]**

C. Solid Waste Director, Cheri Cranfill appeared before the Board to review Budget Amendments. A Budget Amendment is necessary to transfer money from building maintenance to travel to allow for Director Cranfill to attend a mandatory training on Senate Bill 1492. An additional Budget Amendment reflects the transfer of money from group insurance to part-time salaries to adjust for the use of part-time employees in the medical absence of full-time regular employees.

**Commissioner Wooten made a motion to approve the Budget Amendments, involving no new monies, for Solid Waste. Commissioner Garner second.**  
**Vote: 5/0**

**[SW Budget Amendment is attached as Addendum G]**

(D) County Manager Williams presented information regarding the new roadmap developed by the Chamber of Commerce. There are additional ad spaces available. Manager Williams suggested that Yadkin County participate in the project by purchasing a small, business card size ad for \$275.00 that will reflect the County Seal and the Yadkin County Board of Commissioners. Commissioner Wagoner requested that the ad also list the County's website address.

**Commissioner Wagoner made a motion to approve the funding for a Yadkin County advertisement on the Chamber of Commerce Yadkin County Roadmap of \$275.00. Commissioner Garner second.**  
**Vote: 5/0**

## **MANAGER REPORTS/COMMENTS**

**County Manager, Eric Williams**, presented the following to the Board:

(A) Deep Creek Watershed Dam 5D and Water Intake Structure Project Activities Matrix was reviewed. This document provides a snapshot of the 5D Project and timeline. Commissioner Wooten had inquired earlier about a breakdown of the NRCS use of the \$900,000 portion of the 5D earmark. Manager Williams distributed a document provided by Jacob Crandall of the NRCS. Commissioner Wooten was concerned that the document did not list cost estimates for each NRCS service. Manager Williams also distributed the engineer's estimate of probable cost.

(B) County Manager Williams introduced a RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS TO THE TOWN OF YADKINVILLE CONCERNING THE LOCATION FOR A NEW JAIL. Manager Williams created this Resolution as a courtesy to the Town of Yadkinville and as an effort to strengthen the relationship.

Commissioner Wooten commented that the difference in costs between the downtown site and the Hoots Road site for the jail had been discussed approximately a month ago, but there had never been any report of the incentives offered by the Town of Yadkinville; and asked why those incentives were never discussed. Vice Chair Cornelius responded that the Town only offered a solution for the wastewater issue which the Town must deal with regardless of the location of the Jail. Other Board members added

that there had been no incentives offered by the Town. Commissioner Wooten remarked that he had heard figures indicating that between \$150,000 and \$200,000 could be saved overall by building the jail downtown. Commissioner Wagoner stated he would be very interested in seeing those figures if Commissioner Wooten could produce them.

Additional discussion of the Resolution continued. Commissioner Garner was concerned that the Resolution would send the wrong message to the Town. Commissioner Garner stated his understanding was that future plans included the relocation of the Sheriff's Office, possibly EMS, and other county government facilities and feared that the Resolution would leave future Boards susceptible to legal action. Vice Chair Cornelius, along with Commissioner Wagoner, expressed that the Resolution was simply a gesture of good faith and was not a binding agreement. Commissioner Garner added that he could not sign the presented Resolution as it would misrepresent his position. Commissioner Wooten stated that he would not sign the Resolution.

**Commissioner Wooten made a motion to deny the RESOLUTION FROM THE YADKIN COUNTY BOARD OF COMMISSIONERS TO THE TOWN OF YADKINVILLE CONCERNING THE LOCATION FOR A NEW JAIL. Commissioner Garner second. Chair Phillips ruled that the motion was out of order.**

**Vice Chair Cornelius made a motion to accept the RESOLUTION FROM THE YADKIN COUNTY BOARD OF COMMISSIONERS TO THE TOWN OF YADKINVILLE CONCERNING THE LOCATION FOR A NEW JAIL. Chair Phillips second.** Commissioner Wagoner commended Manager Williams for the wording of the Resolution and for the 'noble' intent behind it. However, Commissioner Wagoner was concerned that if the Resolution were to be received by the Town of Yadkinville with only 3 signatures, it would emit the wrong message.

**Vice Chair Cornelius withdrew his motion. Chair Phillips withdrew her second.**

(C) Manager Williams reported that the pre-closing on the school financing would take place on the following day, March 18. Effected parties are to visit the Commissioners Meeting Room at some time during the day for appropriate signatures.

(D) Manager Williams introduced the Budget Calendar for the 2008-2009 Fiscal Year. The Board should expect additional meetings to be scheduled as needed throughout this process, particularly a preliminary goal-setting meeting. Commissioner Cornelius remarked that he would not support a tax increase for this budget year. Commissioner Wagoner was glad a preliminary calendar had been provided and encouraged the County Manager to hold Department Heads to the set timeline.

**[The Budget Calendar for FY 2008-2009 is attached as Addendum H]**



(E) Manager Williams reported that New River Behavioral Healthcare had been selected to replace Insight Human Services/Partnership for a Drug Free North Carolina as the service provider for Crossroads Behavioral Healthcare. Manager Williams suggested that New River Behavioral Healthcare will offer better coverage and no lapse in services. Commissioner Wagoner commended Crossroads Behavioral Healthcare Director, David Swann, for his perseverance during this process.

### **CALENDAR NOTES**

Manager Williams reviewed the calendar notes. There was no additional discussion.

### **COMMISSIONER COMMENTS**

Commissioner Wagoner had the following remarks:

- (1) Commissioner Wagoner highly encouraged all Board members to speak personally to the officials of the Town of Yadkinville to convey their support and to clarify the intentions of the Board regarding the Hoots Road jail site.
- (2) Commissioner Wagoner remarked that the hallmark of a progressing government is that it works smarter, not harder. Commissioner Wagoner feels that the Stromberg Time and Attendance System will make for a much more efficient governing body.
- (3) Commissioner Wagoner commended Eddie Weatherman for the recent 6-Mile Fire Insurance District rating received for Yadkin County. Commissioner Wagoner continued that the county time spent by staff to insure this rating and secure a lower homeowner insurance rate for the property owners of Yadkin County should be acknowledged. Citizens who question what they receive for their tax dollar should recognize the efforts put forth by employees such as Eddie Weatherman and the benefits of his work as a county employee.

Commissioner Wooten had the following for discussion:

- (1) Commissioner Wooten asked Manager Williams for an update on the Courtney Waterline Extension. Manager Williams reported that the Notice to Proceed was issued prior to the last Board meeting.
- (2) Commissioner Wooten asked Manager Williams if he had any additional information concerning the Mountain Crest Community of Jonesville. Manager Williams had no additional information at this time.

Commissioner Garner had the following for discussion:

Commissioner Garner stated that Commissioner Wooten had remarked on several occasions that the county did not have a plan for the future. Commissioner Garner asked the Board to address what it would take to develop a plan. County Manager Williams suggested that this would be a multi-year task involving much research. Additionally, Manager Williams suggested that there must be adequate funds to address the plans considered as well as staff to facilitate those plans. County Manager Williams stated that a consultant may need

to be engaged for that type of long-term facility planning. Board members offered that the County is not without a plan. The current plan involves Middle Schools, waterlines, a new jail, and a reservoir.

Vice Chair Cornelius had the following for discussion:

- (1) Vice Chair Cornelius would like a Closed Session at the end of the Regular Meeting to discuss a personnel matter.
- (2) Vice Chair Cornelius reported that he had been accused of pandering to the Hunter Safety Team. Vice Chair Cornelius stated he was genuinely concerned for the recent ordeal of the Hunter Safety Team, its parents, and its leaders. Vice Chair Cornelius remarked that the County Government should be supporting these young people in their endeavors rather than forcing a hardship and apologized for the failure of local government in this matter.

Chair Phillips had the following comment:

Chair Phillips commended Major Danny Widener of the Sheriff's Office for the recent receipt of a grant to provide a defibrillator for the Courthouse. Chair Phillips requested a Letter of Commendation for Major Widener's personnel file for his efforts.

**Vice Chair Cornelius made a motion to enter a Closed Session to discuss a personnel issue per GS 143-318.11 (a) (6) and to consult with attorney per GS 143-318.11 (a) (3). Commissioner Wooten second.**  
**Vote: 5-0**

**Vice Chair Cornelius made a motion to end Closed Session. Commissioner Wooten second.**  
**Vote: 5/0**

**Vice Chair Cornelius made a motion to adjourn. Commissioner Wooten second.**  
**Vote: 5/0**

Meeting adjourned at 9:27pm.

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Prepared and Approved by Clerk to the Board